

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CESAR DE LEON MORILLO, )  
Petitioner, ) Civil Action No. 06 - 295  
v. ) Judge Terrence F. McVerry/  
WESTERN DISTRICT OF PA, ) Magistrate Judge Lisa Pupo Lenihan  
Respondent. )

**MEMORANDUM ORDER**

The above captioned Petition was received by the Clerk of Court on March 6, 2006, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation (Doc. No. 12), filed on March 21, 2006, recommended that this action be transferred to the United States District Court for the Middle District of Pennsylvania pursuant to 28 U.S.C. § 1631. Service was made on the Petitioner at York County Prison, 3400 Concord Road, York, PA 17402. Petitioner was informed that in accordance with Magistrates Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.1.4(B) of the Local Rules for Magistrates, he had ten (10) days to file any objections. No objections have been filed. After review of the pleadings and the documents in the case, together with the report and recommendation and the objections thereto, the following order is entered:

**AND NOW**, this 1st day of June, 2006;

**IT IS HEREBY ORDERED** that this action is TRANSFERRED to the United States District Court for the Middle District of Pennsylvania pursuant to 28 U.S.C. § 1631.

**IT IS FURTHER ORDERED** that the Report and Recommendation (Doc. No. 2) of Magistrate Judge Lenihan, dated March 21, 2006, is adopted as the opinion of the court.

BY THE COURT:

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s/ Terrence F. McVerry  
United States District Judge

cc: Lisa Pupo Lenihan  
U.S. Magistrate Judge

CESAR DE LEON MORILLO  
82500  
York County Prison  
3400 Concord Road  
York, PA 17402